

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

HM&FW Department – Food Safety Act – Ban on manufacture / Sale of Gutkha / Pan Masala / If any food item containing Tobacco or Nicotine as ingredients, by whatsoever which is available in the market – Permission accorded to Commissioner of Food Safety to impose the ban – Orders – Issued.

HEALTH, MEDICAL AND FAMILY WELFARE (L) DEPARTMENT

G.O.Ms.No. 6

Dated:09-01-2013
Read:

Letter from the Commissioner Food Safety, A.P. Hyderabad,
Lr.No.1508/F1/2012, Dated:05-10-2012 & 13-10-2012.

ORDER:

The Commissioner Food Safety, A.P. Hyderabad, in his letter read above has requested the Government to permit him to impose prohibition (ban) on sale of Gutkha / Pan Masala and other chewable products containing Tobacco and Nicotine in the State of Andhra Pradesh under section 30 (2) (a) of Food Safety and Standards Act, 2006.

2. Under regulation 2.3.4 of the Food Safety and Standards (Prohibition and restriction on Sales) Regulations, 2011 made by the Food Safety and Standards Authority of India in exercise of the powers conferred by clause (1) of sub-section (2) of section 92 of the Food Safety and Standards Act, 2006 (Central Act 34 of 2006) with section 26 thereof, prohibits articles of food in which tobacco and/or nicotine are used as ingredients, as they are injurious to health.

3. AND WHEREAS, Gutkha, Paan masala containing tobacco and/or nicotine, other form of chewable products containing tobacco or nicotine (by whatsoever name) is an article of food in which tobacco and/or nicotine are widely used as ingredients.

4. AND WHEREAS, it is expedient to prohibit the manufacture, the storage, the sale, the transportation, the display or the distribution of Gutkha and Paan Masala containing tobacco and/or nicotine in the state of Andhra Pradesh.

5. The Government after careful examination hereby permit the Commissioner of Food Safety, A.P. Hyderabad to issue the following notification in the interest of the Public Health.

DRAFT NOTIFICATION

In pursuance of regulation 2.3.4 of the Food Safety and Standards (Prohibition and Restriction on sales) Regulations, 2011 the manufacture, the storage, the sale, the transportation or the distribution of Gutkha by whatever name and Paan masala containing tobacco and/or nicotine as ingredients by whatsoever name it is available in the market, is hereby prohibited with immediate effect in the State of Andhra Pradesh in the interest of Public Health until further orders.

(P.T.O)

6. The assistance of following Departments shall be taken for effective enforcement of above prohibition orders;

- a) HM&FW Department
- b) Vigilance and Enforcement Department
- c) Commercial Taxes, Department
- d) Police Department
- e) Transport Department
- f) Labour department,
- g) Municipal Administration Department
- h) Panchayat Raj Department

7. The Information and Public Relations Department and Commissioner, Civil Supplies and Consumer affairs shall give wide publicity and create consumer awareness. The enforcement personnel of FSS Act., shall be placed on regular basis at the inter-state check posts, to have vigil on the illegal transportation of the Prohibited articles into the State from other States. The Commercial Tax Department shall check the banned items and inform the enforcement authorities of Food Safety for taking necessary action.

8. The Commissioner of Food Safety, A.P. Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**MINNIE MATEW
CHIEF SECRETARY TO GOVERNMENT**

To

The Commissioner of Food Safety, A.P. Hyderabad.

The Chairman Food Safety and Standards Authority of India, New Delhi.

Copy to:

The Commissioner of Commercial Taxes,
A.P. Hyderabad.

The Director General of Police A.P.
Hyderabad.

The Commissioner of Industries, A.P.
Hyderabad.

The Commissioner of RTA, A.P. Hyderabad.

The Commissioner of Food, Civil Supplies
and Consumer Affaires, A.P. Hyderabad.

The Commissioner of Information & Public
Relations and E.O. Secretary to Govt.
A.P. Hyderabad.

The M.D., APSRTC, A.P. Hyderabad.

All the District Collectors / Concerned
Departments through Commissioner of
Food Safety.

All the Concerned through Commissioner of
Food Safety.

All HODs under consideration of Health,
Medical and Family Welfare.

SF/SC

//FOREWARDED :: BY ORDER //

SECTION OFFICER